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ISSUANCES

of the Meat and Poultry Inspection Program

April 1977



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UNITED STATES DEPARTMENT OF AGRICULTURE
Animal and Plant Health Inspection Service
Meat and Poultry Inspection Program
Washington, D.C. 20250

MEAT AND POULTRY INSPECTION (MPI)
PUBLICATIONS

Issuances of the Meat and Poultry Inspection Program. This publication is published monthly by the Issuance Coordination Staff, and includes selected CFR amendments, MPI bulletins, and MPI directives; changes to the Meat and Poultry Inspection Manual; and changes to the Meat and Poultry Inspection Regulations. Subscription for 1 year (12 issues) is \$9.00 in U.S. and possessions, and \$11.25 in other countries; cost of one copy is \$0.75.

Meat and Poultry Inspection Manual. This manual contains procedural guidelines and instructions useful in enforcing laws and regulations related to Federal meat and poultry inspection. Copy of the publication and changes since its printing: \$16.50 in U.S. and possessions, and \$20.75 in other countries.

Meat and Poultry Inspection Regulations. This publication contains regulations for slaughter and processing of livestock, poultry, as well as for certain voluntary services and humane slaughter. Copy of the publication and changes since its printing: \$30.00 in U.S. and possessions, and \$37.50 in other countries.

List of Chemical Compounds. Lists nonfood compounds authorized for use in plants operating under USDA Meat and Poultry, Rabbit and Egg Products Inspection Programs, and the U.S. Department of Commerce, Fishery Products Inspection Program. Cost of one copy is \$2.45 in U.S. and possessions, and \$3.05 in other countries.

U.S. Inspected Meatpacking Plants; A Guide to Construction, Equipment, Layout; Agriculture Handbook No. 191. This handbook is designed to supply interpretation of regulations and guidelines in designing, building, altering, and maintaining meatpacking plants to operate under Federal inspection. Cost of one copy is \$2.90 in U.S. and possessions, and \$3.65 in other countries.

Accepted Meat and Poultry Equipment. This publication is published three times yearly, contains information on equipment construction and acceptance, and lists commercially available equipment acceptable for use in federally inspected meat and poultry plants. Subscription for 1 year (three issues) is \$5.65 in U.S. and possessions, and \$7.10 in other countries; cost of one copy is \$1.90 in U.S. and possessions, and \$2.40 in other countries.

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Correspondence on mailing and distribution should be addressed by MPI personnel through regional director, and by State personnel through State program director and MPI regional director to USDA, APHIS, Administrative Services Division, Room 727-A, Federal Building, Hyattsville, Maryland 20782.

April 18, 1977

INFORMATION FOR: MPI Employees and Interested Parties

Checklist of Active MPI Bulletins

This checklist includes active MPI Bulletins published on or before March 31, 1977. Those not appearing on this list (except those published after March 31, 1977) are obsolete and should be removed from active files.

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Number Date	Subject	Distribution Codes	Number Date	Subject	Distribution Codes
11 6/23/72	Plant Operating Schedules Working Conditions, Poultry Plants	S-12,S-13 ES-14,S-15 ES-16, ES 16-1, ES 16-2,S-17, S-18 (Poultry Plants)	392 8/10/73	Cured Meat Product Labeling	Q,P,T,U, U-U-2
			398 8/16/73	Percentage Labeling Guidelines	Q,P,T, U-U-2
77 10/18/72	Rescinding Approved Plant Control Systems	S-16,S 16-1, E 16-2,S-18 S-24	406 8/21/73	Labeling - Nitrates Omitted from Product Formulae	Q,P,T, U-U-2
211 2/20/73	Net Weight Compliance	Q	418 8/31/73	Labeling Standards for Certain Cooked Sausages	Q,P,T,U-U-2
223 3/2/73	Disseminating Information	A,K,L,N,O, P,Q,T	424 9/13/73	Form MP-22, Chemical Laboratory Analysis	Q,P,T,U-2,M
225 3/7/73	Field Action Against Certified Laboratories and Plant Quality Control Systems	Q,P,T	440 10/3/73	MPI Responsibilities in Retail Stores	N,Q,U-2
235 3/15/73	Nutritional Labeling	EA-ET, U-U-2	449 10/12/73	MPI Directive 920.1 Procedure for Submitting Label Applications	Q,P,T,U
263 4/6/73	Waste Disposal Permit	P,Q,U-2	450 10/12/73	Residue Monitoring--Area Supervisor's Responsibility	P,Q
264 4/11/73	Criteria for Granting Inspection When There is Evidence of Questionable Activities by the Applicant as Specified in Section 401 of the FMIA or Section 18(a) of the PPIA	A-L,N-Q	456 10/19/73	Warm Cut-Up and Deboning of Poultry	Q
335 6/25/73	Reproducing MPI Bulletins	Q	503 12/5/73	Chemical Sanitizing of Mech- anical Poultry Eviscerators	Q,P,S,U
367 8/1/73	Meat Trimmings	Q,P,T,U,U- U-2	506 12/6/73	Labeling Spices, Flavorings, and Colorings	Q,P,S,U-U-2
370 8/2/73	Distribution of Evaluation Incident Report	N,K,A	542 12/26/73	Labeling USDA Specification Product	Q,P,T,U-U-2
388	Meat Trimmings	Q,P,T,U	553 1/2/74	Extension of Time for Cured Meat Product Labeling	Q,P,T,U-U-2
			563 1/2/74	Labeling Frozen Dinners	Q,P,T,U-U-2
			586 1/24/74	Certified Pork--Trichinae Control by Refrigeration	Q,P,T,U-U-2
			597 1/29/74	Custom Slaughtering and Preparation of Carcasses of Equines	Q,P,U-2


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602 2/7/74	Submitting Quality Control Programs for MPI Approval	Q,P,T,U	911 12/24/74	Labeling Spices, Flavorings, and Colorings	Q,P,T,U-U-2
611 2/14/74	Exports of Horsemeat to the United Kingdom	P,Q,T,U-U-1	75-3 1/2/75	Control of Canning Operations Conducted at Official Establishments	Q,P,S,T, U-U-2
616 2/22/74	MPI Bulletin 367	Q,P,T,U-U-2	75-4 1/2/75	Flexible or Semirigid Retortable Packages	P,Q,S,T, U-U-2
619 2/25/74	MPI Directive 918.1, Poultry Carcass Inspection Program	Q	75-23 2/5/75	Mandatory Diethylstilbestrol (DES) Certification	S,U-U-2
629 3/5/74	Sorbitol in Cooked Sausages	Q,P,T,U-U-2	75-29 2/11/75	Labeling Required Features	P,Q,S,U-U-2
648 3/20/74	Sampling Method for Establishment Not Using the Online Plan for Ready-to-Cook Young Chickens	Q,P,T,U-U-2	75-43 3/7/75	DES Certification Information	A-O P,Q,S,U,U-1, U-2 Others by ISR
650 3/19/74	Labeling Meat and Poultry Products with Nonmandatory Features at Locations Other than Official Establishments	Q,P,T,U-U-2	- 75-45 3/14/75	"Catalo" and "Beefalo"	P,Q,S,U,U-1 U-2 A-O
661 4/3/74	Issuances	EA-EL	75-56 3/21/75	Poultry Carcass Inspection Program--Turkeys	A-O P,Q,S,T,U, U-2
670 4/12/74	Operations, Procedures and Equipment	Q,P,T,A,I,J, K,L,M,N,O	75-99 6/26/75	Universal Product Code and Postal Zip Code Added to Labeling	A-O,P, Q,S,U
724 6/6/74	Training in Field Operations	EA,EK,EL,EN, EO,P,Q,T	75-105 7/15/75	Asbestos Filters	A-O,P, Q,S,U,U-2
727 6/11/74	Shipment to Military in Germany	Q	75-129 9/2/75	Jar Closure - Vacuum-Packed Containers	A-O,P, Q,S,T,U-U-2
742 6/21/74	Procedure for Controlling Temperatures of Smoking and/or Drying Rooms in Plants Processing Country Cured Pork Products	Q,T,U-U-2	75-131 9/9/75	Review and Report of Accusations Against Inspection Personnel	A-O,P, Q,S,T,U
784 8/5/74	Poultry Carcass Inspection Program--Mature Chickens	All MPI Codes	75-138 9/25/75	Reduced Verification Testing for Fat and Added Water	A-O,P, Q,S,T
794 8/26/74	Neck Cracking for Mechanical Evisceration	P,Q,S,U	75-158 10/29/75	Bratwurst	A-O,P, Q,S,U,U-2
800 9/4/74	Procedures for Controlling Temperatures of Smoking and/or Drying Rooms in Plants Processing Dry-Cured Pork Products	Q,P,T,U,U-2	75-162 11/17/75	Meat and Poultry Export Certification	A-O,P, Q,S,T
809 9/10/74	Perishable, Heat Processed Canned Meat Products	Q,P,S,U-U-2	76-1 1/2/76	Export of Pork Products to Great Britain (U.K.)	A-O,P,Q,S
816 9/16/74	Nutrition Labeling	All MPI Codes	76-6 1/7/76	Items Used with Meat or Poultry Products that are Unapproved or Approved but Unacceptable	A-O,P,Q, S,U
837 10/10/74	Maturation of Canned Hams Prior to Heat Processing	P,Q,S,T,U, U-2	76-13 1/21/76	Export of Ground or Commi-nuted Turkey or Chicken Meat to Japan	A-O,P,Q,S,U
888 11/21/74	Nutrition Labeling	P,Q,T,U-U-2			

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76-29 2/20/76	Canning Operations and Critical Control Factors	A-O,P,Q,S,T, U,U-2	76-110 6/29/76	Exports to South Korea	A-O,P,Q,S,U
76-35 3/3/76	Manual Net Weight Revision	A-O,P,Q,S, U,U-2	76-113 7/13/76	Prohibition Against Carrying Firearms	A-O,P,Q,S,T
76-40 3/8/76	Turkey Ham	A-O,P,Q,S,U	76-114 7/19/76	Secretarial Relief	A-L
76-41 3/9/76	Amendment to MPI Directive 462.1, Standards of Performance	EA,EI,EJ,EM	76-116 7/21/76	Tours of Duty	Limited
76-46 3/16/76	Hog Cholera and Export of Pork to Certain Countries	A-O,P,Q,S, U,U-2	76-123 8/3/76	MPI-APHIS Management and Com- munication System Coordination	A-O,Q
76-51 3/22/76	Residue Sampling Requirements	A-O,P,Q,S	76-136 8/25/76	Import Certification	A-O,P,Q,S
76-53 3/23/76	Exports of Poultry to Western Samoa	A-O,P,Q,S	76-137 8/26/76	Echinococcosis Reporting	A-O,P,Q,S
76-58 4/15/76	Meat Branding Inks	A-O,P,Q,S, U,U-2 (Issuances)	76-143 9/1/76	Temporary Restraining Order	A-O,P,Q,S, U,U-2
76-60 4/16/76	Labeling Meat Quality & Yield Grades	A-O,P,Q,S, U,U-2	76-145 9/8/76	Clarification of Religious (Buddhist) Requirement	A-O,P,Q,S, U,U-2
76-63 4/27/76	Exports to Sweden	A-O,P,Q,S,U	76-146 9/14/76	Mechanically Deboned Meat	A-O,P,Q,S,T, U,U-2
76-65 4/27/76	Protein Multiplier Table Change in the Chemistry Laboratory Guidebook	A-O,P,Q	76-147 9/17/76	Inspection of Contract Specification Product	A-O,P,Q,S, T,U
76-74 5/6/76	Approving Officers (Imprest Fund)	EA,EI,EJ,EM	76-153 9/23/76	Modification of MP Form 408	A-O,P,Q,S,U
76-75 5/10/76	Study to Establish Work Standards for Processing Inspectors	A-O,P,Q,U	76-156 10/6/76	Low Temperature Rendered Products	A-O,P,Q,S,T, U,U-2
76-79 5/17/76	Label Declarations of Salt or Sodium Content	A-T,U,U-2 (Issuances)	76-157 10/8/76	Exports to Great Britain (U.K.)	A-O,P,Q,S
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76-82 5/27/76	Exports of Inedible Product	A-O,P,Q,S,U	76-168 11/4/76	Exports to Nigeria	A-O,P,Q,S,U
76-84 5/28/76	Change of Residue Program to the Regional Office	A-O,P,Q	76-170 11/4/76	Application Form for Label Approval	A-O,P,Q,S,U
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76-191 12/6/76	Exports to Great Britain (U.K.)	A-O,P,Q,S,U
76-192 12/8/76	Missing Viscera--Recording Condemnations	A-O,P,Q,S, T,U
76-195 12/10/76	January 2, 1977 Changeover Date for Revised MP Form 403, 403-6, and 404	A-O,P,Q,S
76-197 12/13/76	Exports to Singapore	A-O,P,Q,S,U
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76-200 12/13/76	Exports to Great Britain (United Kingdom)	A-O,P,Q,S,U
76-203 12/20/76	Poultry Exports to West Germany (FRG)	A-O,P,Q,S,U
76-204 12/20/76	Exports to Denmark	A-O,P,Q,S
76-205 12/22/76	Designation of Holiday	Limited
76-209 12/29/76	Export of Lard to Poland	A-O,P,Q,S,U
77-1 1/3/77	Export of Meat to the Federal Republic of Germany	A-O P,Q,S,U
77-4 1/14/77	Planned Purchasing For Balance of FY 1977	A-O Q
77-5 1/25/77	MP Form 455	A-O P,Q,S,T,U
77-6 1/27/77	Exports to the Federal Republic of Germany	A-O P,Q,S,U
77-8 1/28/77	1976 Income Tax Advisory Service	A-O

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77-11 2/15/77	Export of Ground or Commi-nuted Turkey or Chicken to Japan	A-O P,Q,S,U
77-12 1/31/77	Submitting Quality Control Program for MPI Approval	A-O P,Q,S,U,U-2
77-13 2/1/77	Guidelines for Semi-Dry Poultry Offal Systems	A-O P,Q,S,U,U-2
77-16 2/2/77	Exports to Japan	A-O P,Q,S,U
77-17 2/4/77	Winter Energy Crisis	A-O P,Q,S,T,U
77-18 2/9/77	Labeling Meat Quality and Yield Grades	A-O P,Q,S,U,U-2
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77-22 2/18/77	Submission of Samples for Biological Residue Analysis	A-O,P,Q,S
77-23 3/3/77	Imported Product from Establishment 2 - Panama	A-O,P,Q,S
77-26 3/7/77	Hold and Test Restriction on Imported Product from Est. SIF-10, Brazil	A-O,P,Q,S
77-27 3/7/77	Imports from Spain	A-O,P,Q,S
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77-38 3/17/77	Employee Responsibilities, Ethics and Conduct Training	A-O
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UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
MEAT AND POULTRY INSPECTION PROGRAM
WASHINGTON, D. C. 20250

Meat and Poultry Inspection Manual

April 1977

CHANGE: 77-4

MAINTENANCE INSTRUCTIONS

Remove Page	Insert Page	Numbered
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205 and 206	205 and 206	77-4

Pen-and-Ink Changes

Page 32, section 8.31 (e), line 11, insert the word "fiberboard" before product.

MPI Bulletin 77-31, item 4, change to read, "Each broiler must be individually packed in vacuum type, airtight plastic material."

Bulletins Deleted

Changes on pages 205 and 206 cancel MPI Bulletin 76-81.



UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
MEAT AND POULTRY INSPECTION PROGRAM
WASHINGTON, D. C. 20250

MEAT AND POULTRY INSPECTION REGULATIONS

APRIL 1977

CHANGE: 77-4

MAINTENANCE INSTRUCTIONS

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APPROVED WAREHOUSE (MEAT)

Subpart 18-N

(Regs: M-307, 308, 318)

Control over handling federally inspected product at approved warehouses assures product identification and wholesomeness.

18.73 APPROVAL; CLASSIFICATION

- * Upon approval, a warehouse may
- * handle unpackaged primal or wholesale
- * cuts, animal byproducts for certified
- * animal food, fresh pork for trichinae
- * treatment, and beef passed for
- * refrigeration.

(a) Application

- To obtain approval, warehouse owners or operators must send a completed
- * MP Form 225 to RD.

(b) Survey

The area supervisor or his designee shall survey the warehouse and report findings and recommendations to the regional office.

18.74 FACILITIES, EQUIPMENT, SANITATION

* (a) General

Warehouse facilities, equipment, and sanitation--outside premises (drive-ways, parking areas, loading and unloading docks), floors, walls, ceilings, water supply, lighting, ventilation, equipment, dressing and rest rooms, drinking fountains, handwashing facilities, lockers, waste disposal, personal hygiene, insect and rodent control, etc.--shall comply with Subparts 7-A, 8-B, 8-C, 8-D, 8-E, and 8-G in areas where meat products are handled or stored.

(1) Refrigeration.

- (i) Thermometers. Each room must have a thermometer or other easy-to-

read temperature measuring device. Thermometer sensing element and other temperature measuring devices must provide representative temperature readings throughout storage areas. Indicating thermometers should be read and recorded by warehouse employee at least daily. Each temperature chart shall be dated and show the time of each temperature reading.

(ii) Frost, defrosting. Frost (snow) on coils shall not become excessive. When overhead coils in storage rooms are defrosted, frozen foods shall be protected from moisture contamination.

(iii) Certified pork. Warehouses *
intending to freeze pork to be certi- *
fied as trichinae free must provide *
separate areas equipped with accept- *
able temperature recording devices and *
facilities to allow for adequate MPI *
security of product and recording *
devices. For further requirements see *
§ 318.10(c)(2) and § 325.7(b) of the *
Federal meat inspection regulations. *

(iv) Beef passed for refrigeration. *

Cysticercosis beef passed for *
refrigeration may be shipped under *
official seal to approved warehouses *
for treatment. The warehouses must *
provide separate areas equipped with *
acceptable temperature recording *
devices and facilities to allow for *
adequate MPI security of product and *
recording devices. For further *
requirements see § 311.23(a)(2) and *
§ 325.7(b) of the Federal meat inspec- *
tion regulations. *

(2) Sanitation Responsibility.

Management is responsible for ware-
house sanitary maintenance, and for
designating a competent employee with
responsibilities over cleanup opera-
tions to assure all areas are kept
clean.

(b) Additional Requirements *

An approved warehouse must also *

have:

1. At least one designated room for storage of unwrapped product. If necessary, such room may also be used for packaged product.

2. A properly drained room or area, with cold and hot water for cleaning trucks, racks, etc.

3. A designated area--with water, acceptable table and adequate lighting--for product reconditioning. Handwashing facilities are unacceptable for washing product (see Subpart 7-B).

* Ice glazing. With advance notice
* to the area supervisor, ice glazing
* frozen meat products may be conducted
* in an approved warehouse. It is
usually done by dipping or spraying
frozen meat cuts with water to obtain
a surface ice coating. Soiled or
otherwise contaminated product shall
not be ice glazed (see Subpart 18-D).

18.75 SEAL BREAKING

(a) Designated Employee

Warehouse operators must designate one or more employees, acceptable to the area supervisor, to break seals and sign shipping papers. Such
* employees can only break company or
* warehouse seals on incoming shipments.

(b) Inspector

* Official seals securing restricted
* product and approved warehouse seals,
* covering shipments of meat byproducts
* for certified pet food, when used to
* certify product entering an official
* plant or a certified animal food plant
* are to be broken only under inspec-
* tor's supervision. The approved ware-
* house may print warning tags to deter
* breaking by other employees.

18.76 SHIPPING, RECEIVING

(a) Certification

Unpackaged, marked federally
inspected product may be shipped from
* an official plant or port of entry to
an approved warehouse. Warehouse

employee(s) should record (1) date of arrival; (2) carrier; (3) shipper and his official plant, or name of shipper or importer for imported meat; (4) warehouse customer record for whom the meat is stored; (5) a description of the meat; (6) quantity in the lot; (7) * warehouse lot number.

Each lot of inspected and passed product from an approved warehouse for entry into another approved warehouse or official plant must be accompanied by a warehouse certification waybill or a serially numbered printed shipping form. The shipping form shall have:

1. Date.
2. Printed form number.
3. Seller.
4. Consignee.
5. Warehouse lot number.
6. Name and number of official *
source from which product originated *
(not necessary if on receiving form). *
7. Name of carrier. *
8. Name and number of approved *
warehouse. *
9. Date of shipment. *
10. Title and signature of desig- *
nated employee. *

(b) Animal Food

Shipping denatured byproducts for certified pet food shall be done under plant seal and MP Form 508. However, direct shipment of undenatured byproduct for certified pet food may be done as outlined in the regulations (325.11(f)). *

18.77 LOT IDENTIFICATION

Each lot of product received by warehouse must be properly identified. Unwrapped marked product shall be properly segregated and identified. *

Lot number. Lot number shall be stamped on every carton in the lot of properly marked containers of lungs * or other identified animal byproducts * received under company seal from a federally inspected plant for certi-
fied pet food.

18.78 PRODUCT RECONDITIONING**(a) Unpackaged Product**

Unpackaged meat received for storage shall be checked by warehouse employee, and shall not be stored unless it is clean and in good condition. Unclean articles shall be cleaned before storage.

(b) Broken Packages

Torn and broken packages shall be segregated and reconditioned to protect product from contamination during storage and further shipping.

(c) Contaminated Product

Must be reconditioned under inspector's supervision.

(1) Warehouse reconditioning.

Arrangements must be made with the area supervisor for reconditioning contaminated product under Identification Service on a reimbursable basis.

- * (2) Plant reconditioning. Product
- * may be transferred to an official
- * plant for reconditioning. The ware-
- * house obtains MP Form 409-1 from the
- * area supervisor where the official
- * plant is located.

18.79 STORAGE

Meat products shall be stored in an orderly and sanitary manner.

*** (a) Separation**

- * Federally inspected unwrapped meat
- * and meat food products, and animal
- * byproducts for certified pet food must
- * be kept segregated by lot number and
- * stored separately from other articles.

(b) Packaged Product

It shall be placed on pallets, racks, or skids, and shall be properly stored to permit free air circulation and to prevent odor pickup from other stored products.

(c) Unpackaged Product

Except for hanging type, all meats

for storage shall be placed on dunnage, pallets, in tanks, or other containers.

Product creating an objectionable condition shall not be handled or stored in an approved warehouse.

Unpackaged product shall be handled *
and stored sanitarily. *

(d) Discontinued Storage

When a warehouse discontinues meat storage, the area supervisor shall be promptly notified.

18.80 RECORDS**(a) Warehouse**

Warehouse operators shall:

1. Stamp incoming MP Form 508, or *
certification form with warehouse lot
number stamped on cartons or identi-
fying unwrapped product. File with
lot records. Cross reference all
forms by lot number.
2. Prepare a certification (waybill
or shipping form) for all outgoing
shipments. File one copy, mail one
to MPI inspector at destination (or
receiving establishment), and affix
one inside sealed vehicle.
3. File all certification forms *
received and issued with product for
2 years.

(b) Inventory

An up-to-date inventory of stored products by lot shall be maintained. Records of lots, stored and shipped to *
an official plant or another approved
warehouse, must be readily available
to the inspector.

(c) False Records

Willful, false entries in warehouse records or certificates are subject to penalties of 18 U.S.C. 1001. Criminal penalties are also contained in the Agricultural Marketing Act (7 U.S.C. 1622(h)) and the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) for specified offenses, including certain false representation and unauthorized use of official marks or other identification devices.

18.81 INSPECTION**(a) Admission**

Inspectors and other authorized USDA employees must be allowed to enter the warehouse to which assigned at any reasonable time, and to review facilities and records.

(b) Visits

The area supervisor arranges unannounced biweekly supervisory inspections of premises, operations, inventory and records. Such inspections should be less often in warehouses with a low in-out volume. If circumstances warrant a more frequent surveillance, the area supervisor shall be notified. When an MPI employee makes a warehouse inspection, he should have the last survey report available.

- * (1) Record checks. Records may be checked randomly selecting some MP 508's, and certificates from warehouse file. Items to be checked are (1) lot numbers, (2) inventory, (3) product origin and destination, etc.

- * (2) File. The inspector should file incoming MP Form 508 and warehouse certificates according to warehouse number and lot number for 2 years.

(3) Deficiencies. Insanitary conditions or improper procedures shall be reported through the area supervisor to the regional office. Reports will be kept on file and become evidence for withdrawal of service.

18.82 WITHDRAWAL

If required standards are not maintained, the area supervisor notifies (in writing) warehouse officials. When after reasonable time, deficiencies are not corrected or when routine inspection indicates serious deficiencies, the area supervisor recommends removal of the warehouse from the approved list to RD.

RD may cancel warehouse approval when (1) reliance cannot be placed on records or certificates of warehouse operator or his employees; (2) such operator or any of his employees or agency (a) failed to comply with any conditions of approval, (b) violated the FMIA (21 U.S.C. 601 et seq.) or Section 203(h) of the Agricultural Marketing Act (7 U.S.C. 1622(h)) or any of the regulations promulgated thereunder. *

After warehouse operator is given opportunity to present his views, approval may be suspended according to the Administrative Procedures Act (5 U.S.C. 1008) pending final determination.

RETURNED PRODUCT

Subpart 18-0

(Regs: M-318; P-Subpart 0)

18.85 DEFINITION

Returned product in this subpart means any product which was shipped from an official establishment, delivered to an unofficial establishment (such as a retail store), and returned to the same or any other official establishment for any reason.

Product which can be identified as having been shipped and returned via the same carrier to the same or any other official establishment within 24 hours is not considered to be returned product. Such product is subject to normal reinspection by a program employee when entering the official establishment.

18.86 RESPONSIBILITY**(a) Plant**

Every establishment receiving returned product will designate, with approval of the inspector in charge, an area or areas where returned product will be received. All returned

products can be received only into such designated area or areas. The returned product area(s) are to be maintained at a proper temperature to hold returned product in a wholesome condition. The area(s) must be thoroughly cleansed and sanitized, including containers, tools, equipment, facilities, and employees' hands and aprons, as often as the inspector determines necessary to prevent product contamination.

All returned products should be delivered to the returned product area as soon as practical when they arrive at the establishment. They should not be sorted, removed, or otherwise handled until the inspector has given his approval for such sorting, handling, or removal.

(b) Inspector

The inspector will examine all products which would require inspection. Product that is wholesome and bears the official marks of Federal inspection will be released.

Returned product that has been reprocessed or reconditioned can be used for human food only if it is found on final inspection to be not adulterated nor misbranded. The product should not be removed from the establishment unless it is properly marked or labeled.

Returned product not identified with the official marks of Federal inspection can enter only the returned product area(s) for inspection. It must be held there for disposition in the following manner:

1. If the inspector can determine that products have been prepared under Federal inspection or imported and products are found to be wholesome, they may be released.

2. If the inspector can determine that products have been prepared under State inspection and they are found to be wholesome, they may be released for distribution in the State where prepared. However, they cannot be

released for distribution in interstate commerce.

3. Unwholesome or unidentifiable products must be condemned and destroyed.

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spread, corned beef spread; liver spread; tongue spread; tongue, deviled.

Tamales--2691, 2692. Tamales; tamales with chili gravy; tamales, cocktail in broth.

Sliced dried beef--2710. Beef, dried, sliced.

Chopped beef--2721, 2722. Beef, chopped; beef, loaf.

Meat stew (all products)--2731, 2732. Beef stew; lamb stew; ox tail ragout.

Spaghetti meat products (all types)--2741, 2742. Chili, spaghetti; chili, spaghetti with meat, beans, sauce; spaghetti and meat balls.

Tongue (other than pickled)--2750. Ox or beef tongue; tongue, lamb, pork.

Vinegar pickled products--2761, 2762. Pigs feet; pork feet cutlets; pork hocks, vinegar pickled; sausage, vinegar pickled.

Sausage--2770. Sausage--pork; pork patties; bulk; link; cocktail.

Hamburger; roasted or corned beef, meat and gravy--2781; 2782. Beef brisket; beef--corned; beef and gravy; beef and kidneys in gravy; beef-meat balls; beef--cocktail meat balls; beef--roasted; beef--sandwich steaks; beef--steak and brown gravy; hamburgers; pork and gravy.

Soups--2791, 2792.

Sausage in oil--2811, 2812.

Tripe--2820.

Brains--2830.

Canned loins and picnics--2840. Canned pork loins; canned picnics.

All other with meat and/or meat byproducts--2851, 2852.

Baby foods--2861, 2862. Bacon, bacon-vacuum packed; beef with barbecue sauce; brown gravy with sliced beef; brown gravy with sliced pork; frankfurters and beans; frankfurters and sauerkraut; ham--hash; liver--loaf; liverwurst; mutton--corned; pork with barbecue sauce; scrapple; beans with ham; beans with bacon; beef chop suey; corned beef and cabbage with potatoes; enchiladas with meat in chili sauce; ham a la king; pate de foie with or without truffles; ravioli with meat; sauerkraut and franks; spareribs, sauerkraut, potatoes; veal loaf.

Horsemeat (all kinds)--6940. Horsemeat; horsemeat and gravy; gravy and horsemeat.

20.14 MP FORM 407

See Chart 20.1. More than one product class and condemnation cause may be reported on the same form provided an entry is not reported in more than one block. Use only product classes and condemnation causes printed on the form.

Report condemned product fabricated from more than one meat or meat byproduct by the predominant class.

The inspector will report only condemned product. He shall not:

a. Report product intentionally diverted by the plant to inedible channels (fat, bones, etc.) even if denatured.

b. Identify rejections on the form with any particular shipment of product received at the plant.

c. Certify that contamination was present when product arrived, or amount of trim necessary to bring product into compliance.

Prepare one copy of this form on the day the product is condemned. At the end of each reporting week, combine the totals of each product class and

- * condemnation cause for the weekly summary. Prepare summary in duplicate
- * entering the week's totals in the appropriate blocks. Write in "week ending" above the date block, and
- * date each report for the Saturday of the week the form is submitted.
- * Upon request, a copy may be given to plant management.

20.15 MP FORM 407-4

See Chart 20.1. Complete in duplicate for each material rejected. Send original to Chicago Data Services Center. Report rejected quantity in pounds. Negative reports are not required. Do not report rejected equipment. Report rejected items under the following categories:

(a) Materials Rejected

(1) Spices and Seasonings:

Salt	Nutmeg
Sugar	Allspice
Pepper (black, red, white)	Sage
Monosodium glutamate	Dextrose
Paprika	Seeds
Garlic	Dill
Oregano	Caraway
Chili mix/powder	Fennel
Bar-b-que powder	Mustard
Mace	Seasonings
Thyme	Sausage
Onion powder	Bologna
Ground spice	Loaf
Anise	Ham spices
Smoke flavoring	Sauces
Cinnamon	Hot
Coriander	Pizza
	Honey
	Syrup
	Vinegar

(2) Flour and cereal products:

Wheat flour	Wheat cereal
Corn flour	Potato starch
Soya flour	Bread
Barley	Batter mix
Potato	Cracker meal
Rolled oats	Corn meal
Rice	Macaroni
Farina	Spaghetti
Cereal binder	Noodles
	Tapioca flour

(3) Dairy and egg products:

Nonfat dry milk	Sodium caseinate
Whole milk	Eggs, whole, fresh
Whole skim milk	Egg white, fresh,
Dry whole milk	frozen, powdered
Whey	Egg yolks, fresh,
Breeding mix dip	frozen, powdered
Process cheese spread	

(4) Fruits or vegetables (fresh, canned, or dehydrated):

Potatoes	Olives
Peas	Beans
Carrots	Bean sprouts
Parsley	Tomatoes, fresh
Onion	paste
Pimientos	puree
Pickles	juice

(5) Soaps, cleaners, oils:

Tripe cleaner	Boiler compounds
Toilet cleaner, etc.	Metal cleaner
Floor cleaner	Clothes cleaners
Oakite	Hand soaps
General cleaner	Mineral oil
Brick cleaner	Cotton seed oil
	Paraffin

(6) Casings (natural and artificial):

Casings
Plastic overwraps
Visking bags

(7) Curing agents:

Pickle	Prague powder
Cures	Sal brine
Westphalia powder	

(8) Miscellaneous:

Bicarbonate of soda	Antioxidants to
Vitamins	prevent dis-
Gelatin	coloration
Mono-glycerides	Tenderizers
Stabilizers	Vegetable oleo-
	margarine

(b) Cause for Rejection

(1) Noncompliance with regulations:

Label not approved for use of
rejected product
Product not labeled
Unauthorized color or flavor

§ 329.7 Procedure for seizure, condemnation, and disposition.

Any article or livestock subject to seizure and condemnation under this part shall be liable to be proceeded against and seized and condemned, and disposed of, at any time, on an appropriate pleading in any United States district court, or other proper court specified in section 404 of the Act, within the jurisdiction of which the article or livestock is found.

§ 329.8 Authority for condemnation or seizure under other provisions of law.

The provisions of this part relating to seizure, condemnation and disposition of articles or livestock do not derogate from authority for condemnation or seizure conferred by other provisions of the Act, or other laws.

§329.9 Criminal offenses.

The Act contains criminal provisions with respect to numerous offenses specified in the Act, including but not limited to bribery of Program employees, receipt of gifts by Program employees, and forcible assaults on, or other interference with, Program employees while engaged in, or on account of, the performance of their official duties under the Act.

PART 330-[RESERVED]

PART 331-SPECIAL PROVISIONS FOR DESIGNATED STATES AND TERRITORIES;
AND FOR DESIGNATION OF ESTABLISHMENTS WHICH ENDANGER PUBLIC HEALTH
AND FOR SUCH DESIGNATED ESTABLISHMENTS

AUTHORITY: The provisions of this Part 331 issued under secs. 21, 301, 81 Stat. 584, 588, 592, 593, 595; 21 U.S.C. 621, 661.

SOURCE: The provisions of this Part 331 appear at 35 F.R. 1967, Dec. 29, 1970, unless otherwise noted.

§ 331.1 Definition of "State".

For purposes of this Part, the term "State" means any State (including the Commonwealth of Puerto Rico) or organized Territory.

§ 331.2 Designation of States under paragraph 301(c) of the Act.

Each of the following States has been designated, under paragraph 301(c) of the Act, as a State in which the provisions of Titles I and IV of the Act shall apply to operations and transactions wholly within such State. The Federal provisions apply, effective on the dates shown below:

Effective date of application
of Federal provisions

California.....	April 1, 1976
Colorado.....	July 1, 1975
Connecticut.....	October 1, 1975
Guam.....	January 21, 1972

Kentucky.....	January 14, 1972
Massachusetts.....	January 12, 1976
Minnesota.....	May 16, 1971
Missouri.....	August 18, 1972
Montana.....	April 27, 1971
Nebraska.....	October 1, 1971
Nevada.....	July 1, 1973
New Jersey.....	July 1, 1975
New York.....	July 16, 1975
North Dakota.....	June 22, 1970

* * * * *

Oregon.....	July 1, 1972
Pennsylvania.....	July 17, 1972
Puerto Rico.....	June 18, 1971
Tennessee.....	October 1, 1975
Virgin Islands.....	November 27, 1971
Washington.....	June 1, 1973

§ 331.3 States designated under paragraph 301(c) of the Act; application of regulations.

The provisions of the regulations in this subchapter apply to operations and transactions wholly within each State designated in § 331.2 under paragraph 301(c) of the Act, except as otherwise provided in this section. (The provisions of the regulations apply in all respects to operations and transactions in or for commerce.)

(a) Each establishment, located in such a designated State, which is granted inspection required under § 302.1(a)(2) of this subchapter, shall obtain approval of plant drawings as specified in § 304.2 of this subchapter within 18 months after the designation of the State becomes effective. The establishment, including its facilities shall be placed in compliance with the approved drawings as soon as possible, but not to exceed 36 months after such designation becomes effective. Failure to have drawings approved or to bring the establishment into compliance with such drawings within the time periods specified herein will result in the expiration of the grant of inspection. Inspection will be initially granted to any such establishments only if it is found, upon a combined evaluation of its premises, facilities and operating procedures, to be capable of producing products that are not adulterated or misbranded.

(b) Section 305.2 of this subchapter will apply to establishments required to have inspection under § 302.1(a)(2) of this subchapter, except that existing interconnections between official and unofficial establishments will be permitted if it is determined in specific cases that the interconnections are such that transfer of inedible product into the official establishment would be difficult or unusual, and any such transfers are strictly prohibited, except as permitted under other provisions of this subchapter. It is essential that separation of facilities be maintained to the extent necessary to assure that inedible product does not enter the official establishment contrary to the regulations of this subchapter.

(c) Section 308.4 of this subchapter shall apply to such establishments, except that separate toilet rooms for men and women workers will not be required when the majority of the workers in the establishment are related by blood or marriage, provided that this will not conflict with municipal or State requirements; and except that separation of toilet soil lines from house

located when so detained, until released by an authorized representative of the Secretary: Provided, That any such article may be moved from the place at which it is located when so detained, for refrigeration or freezing, or storage purposes if such movement has been approved by an authorized representative of the Secretary and the article so moved will be further detained by an authorized representative of the Secretary after such movement. When the detention of such article is terminated, the owner, his agent, or the carrier or other person having custody of the article who was notified when the article was detained will receive notification of the termination. The notification "Notice of Termination of Detention" (Form MP-487)¹ shall be served either by delivering the notice to the person originally notified, or by certifying and mailing the notification addressed to such person, at his last known residence or principal office or place of business. All official marks may be required by such representative to be removed from such article before it is released unless it appears to the satisfaction of the representative that the article is eligible to retain such marks.

§ 381.215 Poultry or other articles subject to judicial seizure and condemnation.

Any poultry carcass, or part thereof, or any product made wholly or in part from any poultry carcass or part thereof; except those exempted from the definition of a poultry product in § 381.15, or any dead, dying, disabled, or diseased poultry, that is being transported in commerce or is otherwise subject to the Act, or is held for sale in the United States after such transportation, is subject to seizure and condemnation, in a judicial proceeding pursuant to section 20 of the Act if such poultry or other article:

- (a) Is or has been processed, sold, transported, or otherwise distributed or offered or received for distribution in violation of the Act; or
- (b) Is capable of use as human food and is adulterated or misbranded; or
- (c) In any other way is in violation of the Act.

§ 381.216 Procedure for judicial seizure, condemnation, and disposition.

Any poultry or other article subject to seizure and condemnation under this subpart is liable to be proceeded against and seized and condemned, and disposed of, at any time, on an appropriate pleading in any U.S. district court, or other proper court specified in section 21 of the Act, within the jurisdiction of which the article is found.

§ 381.217 Authority for condemnation or seizure under other provisions of law.

The provisions of this subpart relating to detention, seizure, condemnation and disposition of poultry or other articles do not derogate from authority for retention, condemnation, or seizure conferred by other provisions of the Act, or other laws.

¹ Copy filed with the Office of the Federal Register as part of the original document.

§ 381.218 Criminal offenses.

The Act contains criminal provisions with respect to numerous offenses specified in the Act, including but not limited to forcible assaults on, or other interference with, any person while engaged in, or on account of the performance of, his official duties under the Act. Criminal provisions with respect to gifts or offers of bribes to such persons and related offenses are contained in the general criminal code (18 U.S.C. 201).

Subpart V-Special Provisions for Designated States and Territories;
Criteria and Procedure for Designating Establishments With
Operations Which Would Clearly Endanger the Public Health;
Disposition of Poultry Products Therein

§ 381.220 Definition of "State".

For purposes of this subpart, the term "State" means any State (including the Commonwealth of Puerto Rico) or organized territory.

§ 381.221 Designation of States under paragraph 5(c) of the Act.

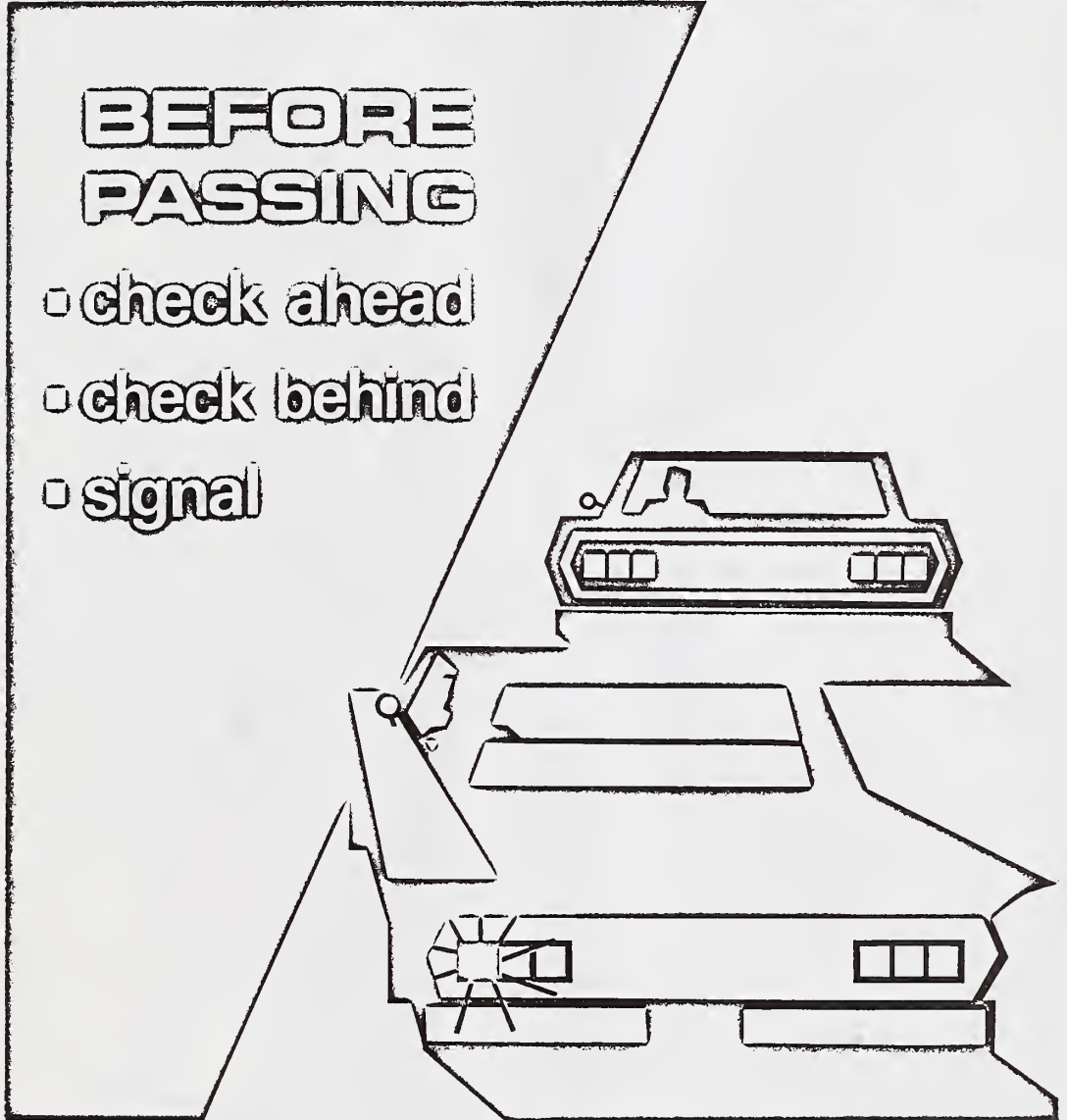
Each of the following States has been designated, under paragraph 5(c) of the Act, as a State in which the provisions of sections 1 through 4, 6 through 10, and 12 through 22 of the Act shall apply to operations and transactions wholly within such State. The Federal provisions apply, effective on the dates shown below:

States	Effective date of application of Federal provisions
Arkansas.....	Jan. 2, 1971.
California.....	April 1, 1976.
Colorado.....	Jan. 2, 1971.
Connecticut.....	Oct. 1, 1975.
Georgia.....	Jan. 2, 1971.
Guam.....	Jan. 21, 1972.
Idaho.....	Jan. 2, 1971.
Kentucky.....	July 28, 1971.
Maine.....	Jan. 2, 1971.
Massachusetts.....	Jan. 12, 1976.
Michigan.....	Jan. 2, 1971.
Minnesota.....	Jan. 2, 1971.
Missouri.....	Aug. 18, 1972.
Montana.....	Jan. 2, 1971.
Nebraska.....	July 28, 1971.
Nevada.....	July 1, 1973.
New Jersey.....	July 1, 1975.
New York.....	April 10, 1977.
North Dakota.....	Jan. 2, 1971.
* * * * *	
Oregon.....	Jan. 2, 1971.
Pennsylvania.....	Oct. 31, 1971.
Puerto Rico.....	Jan. 17, 1972.

DRIVE DEFENSIVELY

BEFORE PASSING

- ▣ check ahead
- ▣ check behind
- ▣ signal



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